

VETERINARY MEDICINE BOARD[811]

Notice of Intended Action

Proposing rule making related to licensure by verification and providing an opportunity for public comment

The Board of Veterinary Medicine hereby proposes to amend Chapter 1, “Description of Organization and Definitions,” and Chapter 6, “Application for Veterinary Licensure,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 169.5.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2020 Iowa Acts, House File 2627.

Purpose and Summary

This rule making implements 2020 Iowa Acts, House File 2627, by allowing a veterinarian licensed in another jurisdiction to more easily obtain an Iowa license, so long as the veterinarian is an Iowa resident or is married to an active duty member of the military who is relocated to Iowa on a permanent basis.

The rule making also establishes application procedures including verifying that the applicant’s license from another state complies with the requirements of Iowa Code, requirements for establishing residency in Iowa, and disciplinary actions. Finally, the rule making rennumbers existing rules to account for new rule 811—6.6(169) and updates one affected cross reference.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 811—Chapter 14.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on March 5, 2021. Comments should be directed to:

Colin Tadlock
Iowa Department of Agriculture and Land Stewardship
502 East 9th Street
Des Moines, Iowa 50319
Email: colin.tadlock@iowaagriculture.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

March 5, 2021
1 to 2 p.m.

Second Floor Boardroom
Wallace State Office Building
Des Moines, Iowa
Via conference call: 866.685.1580
Participant access code: 7422903352#

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule **811—1.4(17A,169)**, definition of “Certificate,” as follows:
“*Certificate*” means a credential issued by the board to practice on an animal as a certified veterinary student pursuant to ~~811—subrule 6.6(3)~~ **811—subrule 6.7(3)**.

ITEM 2. Renumber rules **811—6.6(169)** and **811—6.7(169)** as **811—6.7(169)** and **811—6.8(169)**.

ITEM 3. Adopt the following new rule **811—6.6(272C)**:

811—6.6(272C) Licensure by verification. Licensure by verification is available in accordance with the following:

6.6(1) Eligibility. A person may seek licensure by verification if the person is licensed in at least one other jurisdiction, and either:

- a. The person establishes residency in the state of Iowa; or
- b. The person is married to an active duty member of the military forces of the United States and is accompanying the member on an official permanent change of station in Iowa.

6.6(2) Board application. The applicant must submit the following:

- a. A completed application for licensure by verification.
- b. Payment of the application fee.
- c. A verification form, completed by the licensing authority in the jurisdiction that issued the applicant's license, verifying that the applicant's license in that jurisdiction complies with the requirements of Iowa Code section 272C.12. The completed verification form must be sent directly from the licensing authority to the board. This form is available on the board's website.

d. Proof of residency in the state of Iowa or proof of military member's official permanent change of station in Iowa. Proof of residency includes one or more of the following:

- (1) A residential mortgage, lease, or rental agreement;
- (2) A utility bill;
- (3) A bank statement;
- (4) A paycheck or pay stub;
- (5) A property tax statement;
- (6) A federal or state government document;
- (7) Any other board-approved document that reliably confirms Iowa residency.

e. A copy of the relevant disciplinary documents if another jurisdiction has taken disciplinary action against the applicant.

6.6(3) *Applicants with prior discipline.* If another jurisdiction has taken disciplinary action against an applicant, the board will determine whether the cause for the disciplinary action has been corrected and the matter has been resolved. If the board determines the disciplinary matter has not been resolved, the board will not take action on the application until the disciplinary matter has been resolved.

6.6(4) *Applicants with pending licensing complaints or investigations.* If an applicant currently has a complaint, allegation, or investigation relating to unprofessional conduct pending before any regulating entity in another jurisdiction, the board will not take action on the application until the complaint, allegation, or investigation has been resolved.

6.6(5) *Limitations.* A person who has had a license revoked, or who has voluntarily surrendered a license while under investigation for unprofessional conduct in another jurisdiction, is ineligible for licensure by verification.